

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAURICIO PABA SERJE, et al.,

Plaintiffs,

v.

RAPPI, INC., et al.,

Defendants.

Case No. [4:19-cv-07415-KAW](#)

**ORDER DENYING FOURTH MOTION  
TO EXTEND TIME TO COMPLETE  
SERVICE; SECOND ORDER TO  
SHOW CAUSE**

Re: Dkt. No. 21

This action was filed on November 8, 2019. (Dkt. No. 1.) On June 3, 2020, the Court extended Plaintiff's deadline to complete service of the complaint and summons on Defendants to August 5, 2020. (Dkt. No. 17.) To date, no proof of service has been filed.<sup>1</sup>

On July 20, 2020, the Court granted Plaintiffs' counsel's motion to withdraw, such that Plaintiffs are now pro se. (Dkt. No. 19.) A case management conference was scheduled for October 6, 2020, but Plaintiffs did not file a case management statement seven days prior as required, so the Court vacated the case management conference and issued an order to show cause to Plaintiffs on October 2, 2020. (Dkt. No. 22.)

Minutes before the order to show cause was docketed, Plaintiff Mauricio Paba Serje filed a notice of appearance and a fourth motion for extension of time to complete service. (Notice of Appearance, Dkt. No. 20; Pls.' Mot., Dkt. No. 21.) There are several reasons, however, why the motion must be denied.

First, Mr. Serje filed it on behalf of all of the plaintiffs, which is improper because he is not an attorney admitted to practice in the Northern District of California, and, therefore, can only file

<sup>1</sup> Certificates of service must be separately docketed. Thus, the Court strikes the documents attached to Dkt. No. 21.

papers on his own behalf.

Second, the email for his ECF account ([ccadena@lozanoblanco.com](mailto:ccadena@lozanoblanco.com)), as reflected on the docket, belongs to attorney Christian Cadena Flechas of Bogota, Columbia. (Christian Cardena Flechas – Abogado, LINKEDIN, [https://co.linkedin.com/in/christian-cadena-flechas-b261a031?challengeId=AQHR8Zto8UH2SAAAAXT5xgZZbsFIIm7pOQmOZTeuIDg1cgypYGh711QijDys8SBKRIr2EayOI\\_sU7-DI6hipD6IkS3E9I36mdw&submissionId=bc4dd8d2-3d28-3b16-6ac8-c6e0c86c2f36](https://co.linkedin.com/in/christian-cadena-flechas-b261a031?challengeId=AQHR8Zto8UH2SAAAAXT5xgZZbsFIIm7pOQmOZTeuIDg1cgypYGh711QijDys8SBKRIr2EayOI_sU7-DI6hipD6IkS3E9I36mdw&submissionId=bc4dd8d2-3d28-3b16-6ac8-c6e0c86c2f36) (last visited Oct. 5, 2020).) Third, the street address on Mr. Serje's notice of appearance (Dkt. No. 20) is the same address as Mr. Cadena Flechas's law firm, Lozano Blanco & Associates. (See Lozano Blanco & Associates, <https://lozanoblanco.com/en/home/#contact> (last visited Oct. 5, 2020).) Taken together, it is apparent that Mr. Serje is not truly representing himself despite his declaration to the contrary. (Decl. of Mauricio Paba Serje, Dkt. No. 21-1 ¶ 1.) Mr. Cadena-Flechas has not filed a substitution of counsel form, and he does not appear to be qualified to represent clients in this district. Instead, Mr. Cadena-Flechas appears to be engaging in the unauthorized practice of law, as all case-related emails are going to his email address rather than to Mr. Serje. This is improper and will not be permitted.

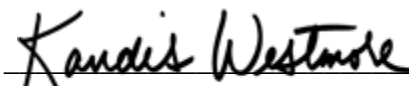
For the reasons set forth above, Plaintiffs' motion is DENIED. Mr. Serje is ordered to file an amended notice of appearance within 7 days of this order that contains his own street address and email address, and he shall update his ECF account to ensure that he personally receives all filings in this case. In addition, Mr. Serje is ordered to remove the email address for Mr. Cadena-Flechas from his ECF account because he is not a proper person to receive notice of filings in this case. If Mr. Cadena-Flechas is or becomes qualified to practice law in this district, and he wishes to represent the plaintiffs in this case, a proper substitution of counsel shall be filed.

## SECOND ORDER TO SHOW CAUSE

Plaintiffs are ordered to respond to the October 2, 2020 order to show cause by October 30, 2020, as originally ordered. (See Dkt. No. 22.)

IT IS SO ORDERED.

Dated: October 15, 2020

  
KANDIS A. WESTMORE  
United States Magistrate Judge